

Interview Summary	Application No.	Applicant(s)	
	10/717,630	ELOO, MICHAEL	
	Examiner	Art Unit	
	Matthew J. Daniels	1732	

All participants (applicant, applicant's representative, PTO personnel):

(1) Matthew J. Daniels.

(3) Harvey Jacobson, Suzin Bailey.

(2) Bobby Mann.

(4) Christina Johnson.

Date of Interview: 18 July 2006.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1, 16 and 24.

Identification of prior art discussed: Bonner, Balint.


Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.



Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's counsel provided the enclosed arguments and proposed claim amendments for discussion. Applicant's counsel argued that Balint and Bonner both rely upon crystallizers, that Bonner has no disclosure of high velocity air injection, and that one would not combine the references. Applicant's counsel also argued that there is no disclosure of the forming of a mist. Applicant also argued that Applicant seeks to eliminate the crystallizer. Examiner Daniels responded that Bonner also appears to teach mist, or wet pellets that would have sufficient heat to create a mist. Examiner Daniels also responded that the amendment to Claim 24 which states transporting all of said water and pellets appears to overcome the references of record. Examiner Daniels also suggested a proposed claim amendment having support in page 6, lines 1-5 of Applicant's disclosure for a negative limitation drawn to eliminating additional heating. Examiner Daniels noted Balint's and Bonner's teachings of a second crystallizing stage, and stated that claim amendments to Claims 1 and 16 incorporating language from page 6, lines 1-5 drawn to a negative limitation appear to overcome the references of record.

Brief Description of Arguments to be Presented:

Applicant intends to show the Examiners the initial disclosure materials of the inventor as provided to Applicant's attorney by email dated May 30, 2003, as well as additional test results provided to Applicant's attorney by email dated August 4, 2003. These disclosure materials, which were provided to Applicant's attorneys several months before the earliest priority date of U.S. Publication No. 2005/0056961 to Bonner ("Bonner"), disclose the present invention and include the test data that is set forth in the specification on page 15. Accordingly, these disclosure materials establish a date of invention well before Bonner (September 16, 2003).

However, Applicant believes that the present invention is patentable over Bonner in any event. Specifically, Bonner does not disclose and would not work with high velocity gas. Nor does Bonner disclose the generation of a water vapor mist but rather the removal of the water at the point at which the air is introduced (see Figure 3). Bonner also operates at a temperature far lower than that of the present invention. This temperature difference is such that what is accomplished by the present invention could not be achieved at the temperatures taught by Bonner. In fact, Bonner teaches against the use of temperatures that are sufficiently high to effect crystallization, as is

claimed by the present invention, noting instead the drawbacks of high temperatures (see paragraph [0028]). Finally, Bonner does not teach or suggest the crystallization of PET pellets by any method other than with a conventional crystallizer (see crystallizer 20 in Figures 2 and 3). The presently claimed invention, by contrast, relies upon the internal heat retained within the pellets upon exiting from the dryer, eliminating the need for a crystallizer.

1. (Currently Amended) A method for processing polyethylene terephthalate polymers into pellets using an apparatus including an underwater pelletizer and a dryer, said method comprising:

extruding strands of polyethylene terephthalate polymer through a die plate for cutting in said underwater pelletizer;

cutting the polyethylene terephthalate polymer strands into pellets in a cutting chamber of said pelletizer;

transporting said polyethylene terephthalate pellets out of said cutting chamber ~~to said dryer~~ as a water and pellet slurry; and

injecting a high velocity gas into said water and pellet slurry to ~~generate~~ convert the water into a water vapor mist and enhance the speed of the pellets into and out of said dryer, with said pellets retaining sufficient internal heat upon exiting said dryer for crystallization of said pellets.

16. (Currently Amended) A method for processing crystallizing polymeric materials into pellets, which comprises:

extruding into strands a crystallizing polymeric material having sufficient heat for crystallization ~~into strands~~;

cutting the extruded strands into pellets in a water stream;

transporting said pellets in said water stream as a water and pellet slurry; and

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injecting an inert gas at a high velocity into said pellet and water slurry such that said pellets retain sufficient heat for crystallization of said polymeric material without the application of external heat.

24. (Currently Amended) A method for processing polyethylene terephthalate polymers into crystallized pellets using an apparatus having an underwater pelletizer, ~~and a centrifugal dryer~~ and transportation piping therebetween, said method comprising:

cutting polyethylene terephthalate polymer strands into pellets in the underwater pelletizer;

transporting said pellets out of said pelletizer and into said transportation piping as a water and pellet slurry; ~~and~~

introducing a high velocity inert gas into said water and pellet slurry in said transportation piping to separate the water from the pellets; and ~~enhance the speed of said pellets through~~

transporting all of said water and pellets into said centrifugal dryer located downstream of said gas introduction, said pellets exiting said dryer with sufficient internal heat for crystallization of said pellets.